

**Ordinance Review Committee
Office of Environmental Services
City of Indianapolis
Minutes
November 13, 2003**

Attendees Present:

Dennis Achgill, Indianapolis Air Pollution Control Board
Chuck Fraley, Indianapolis Air Pollution Control Board
Tom Rarick, Indianapolis Air Pollution Control Board
Cheryl Carlson, Office of Environmental Services, City of Indianapolis
John Chavez, Office of Environmental Services, City of Indianapolis
Tom Hipple, Office of Environmental Services, City of Indianapolis
Rick Martin, Office of Environmental Services, City of Indianapolis
Matt Senseny, Office of Corporation Council, City of Indianapolis
Bill Beranek, Indiana Environmental Institute
Denise Curtis, National Starch and Chemical Company

Review of Ordinance Adoption Process

Rick provided a handout of the ordinance and regulation adoption process contained in Chapter 141 of the Municipal Code for the City of Indianapolis. The adoption process in Chapter 141 is different from the process contained in Chapter 511 – Air Pollution Control Ordinance. Chapter 141 supercedes all other City ordinance adoption procedures and contains the minimum steps to adopt a regulation or ordinance. However, the Indianapolis Air Pollution Control Board (Board) can ask staff to take additional steps for public involvement if they would like.

One of the largest differences between Chapter 141 and Chapter 511 is that Chapter 141 does not require that a regulation change be preliminarily adopted prior to the public hearing. Because this step is eliminated in the regulation adoption process, it was suggested that more involvement from interested parties needs to occur prior to the public notice.

Bill suggested that it is important that the Board keep some type of preliminary notification of interested parties during the adoption process. Bill was concerned that the public be involved in the process as much as possible. Matt stated that all of the City regulations are handled through the process contained in Chapter 141. The burden of reaching out to affected parties will be the Office of Environmental Services' (OES) responsibility.

As review of the handout progressed, several suggestions were made concerning the language about in the handout. Bill would like to have specific notification provided to

“interested parties” when the regulation is in the public notice phase of adoption. John said that the OES will keep interested parties abreast of the progress of adoption.

Rick suggested that OES review the handout for the Chapter 141 regulation adoption process and discuss the handout further at a future Ordinance Review Committee.

Regulation 10 – Nitrogen Oxides

Rick provided a draft Regulation 10 – Nitrogen Oxides and a memorandum discussing the adoption of Regulation 10. The draft Regulation 10 is an adoption of the state regulation by reference. The state regulation is already in effect. The draft regulation does not vary from the state regulation at all with the exception of the City not adopting the Nitrogen Oxides Budget Trading Program (which is administered by the Indiana Department of Environmental Management).